

Message Text

UNCLASSIFIED

PAGE 01 IAEA V 02236 141606Z

44

ACTION ACDA-10

INFO OCT-01 IO-10 ISO-00 ACDE-00 ERDA-07 AF-06 ARA-10

CIAE-00 DODE-00 EA-10 EUR-12 PM-03 H-02 INR-07 L-02

NASA-02 NEA-09 NSAE-00 NSC-05 OIC-02 SP-02 PA-02

PRS-01 OES-05 SS-15 USIA-15 SAJ-01 /139 W

----- 053303

P R 141329Z MAR 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 5597

INFO AEC GERMANTOWN

AMEMBASSY BERN

USMISSION GENEVA

UNCLAS IAEA VIENNA 2236

EO 11652: NA

TAGS: AORG OCON IAEA SZ PARM TECH

SUBJ: IAEA BOARD OF GOVERNORS FEB 25: SWISS RESPONSE

TO DG INTERPRETATION OF SAFEGUARDS AGREEMENTS

UNDERTAKING

DISTO

REF: IAEA 1695 (NOTAL)

1. THERE FOLLOWS TEXTS, AS PUBLISHED BY SECRETARIAT
IN PROVISIONAL RECORD (GOV/OR.474) OF FEB 25 BOARD
PROCEEDING, OF RELEVANT PORTIONS DG INTERPRETATION STATE-
MENT AND OF RESPONSE BY SWISS GOVERNOR, CLAUDE ZANGGER.
ZANGGER'S STATEMENT AS GIVEN HERE REFLECT SLIGHT
CHANGE FROM STATMENT AS DELIVERED AS A RESULT OF SOME
EDITING BY ZANGGER:

A. QTE THE DIRECTOR GENERAL: THE GOVERNOR FROM SPAIN
HAD REFERRED TO THE LETTER TO BE SENT TO HIM (THE
DIRECTOR GENERAL) AT THE TIME OF SIGNATURE OF THE
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 IAEA V 02236 141606Z

AGREEMENT. IN HIS REPLY, HE WOULD REFER TO THE STANDARD

UNDERTAKING ACCEPTED BY GOVERNMENTS IN CONCLUDING SUCH SAFEGUARDS AGREEMENTS WITH THE AGENCY TO THE EFFECT THAT THEY WOULD NOT USE SAFEGUARDED ITEMS "IN SUCH A WAY AS TO FURTHER ANY MILITARY PURPOSE". HE WOULD PLACE ON RECORD THAT AN INVARIABLE AND CARDINAL OBLIGATION INVOLVED IN THAT UNDERTAKING WAS THAT THE NUCLEAR MATERIALS SHOULD ALSO NOT BE USED FOR THE DEVELOPMENT, MANUFACTURE OR TESTING OF NUCLEAR EXPLOSIVE DEVICES OF ANY KIND.

AS THE BOARD KNEW, THE AGENCY'S SAFEGUARDS HAD FROM THE OUTSET BEEN INTENDED TO ENSURE, AS FAR AS IT WAS IN THE POWER OF THE AGENCY TO DO SO, THAT SAFEGUARDED NUCLEAR MATERIALS WERE NOT USED FOR NUCLEAR EXPLOSIONS OR ANY OTHER MILITARY PURPOSE.

RECENTLY, NUCLEAR MATERIALS HAD IN MANY CASES BEEN SUPPLIED ONLY WHEN THAT CONDITION WAS STATED EXPLICITLY. FOR THE FUTURE, IT WAS FORESEEN THAT THE PRACTICE OF ENTERING INTO AN EXCHANGE OF LETTERS FOR THAT PURPOSE WOULD BE REPLACED BY INCLUDING THE REQUISITE PROVISION IN THE AGREEMENT ITSELF.

B. MR. ZANGGER (SWITZERLAND) WONDERED WHETHER THE DIRECTOR GENERAL'S STATEMENT WOULD NOT BE SEEN AS DEFINING A NEW GENERAL POLICY OF THE AGENCY. SUCH A POLICY MIGHT MEAN FORBIDDING A MEMBER STATE TO USE NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES. THAT WOULD BE CONTRARY TO THE STATUTE OF THE AGENCY, ACCORDING TO WHICH IT WAS TO PROMOTE THE USES OF ATOMIC ENERGY FOR PEACEFUL PURPOSES; ONE MIGHT LEGITIMATELY FEAR THAT THE NEW POLICY WOULD SCARCELY ALLOW THAT GOAL TO BE ATTAINED. SWITZERLAND ITSELF AFFORDED EXAMPLES OF THE TYPE OF DIFFICULTY THAT MIGHT ARISE. ONE FIRM WAS PREPARING TO CARRY OUT A RESEARCH AND DEVELOPMENT PROGRAM ON A PROCESS USING CONFINED MICRO-EXPLOSIONS IN ARTIFICIAL ENCLOSURES FOR THE PURPOSE OF PRODUCING ENERGY FOR PEACEFUL PURPOSES. AS THE DEVICE INVOLVED FISSIONABLE MATERIALS IN THE FUEL AS WELL AS FUSIONABLE MATERIALS, IT WOULD APPEAR THAT NUCLEAR MATERIALS SUBJECT TO AGENCY SAFEGUARDS COULD NOT NOW BE UNCLASSIFIED

UNCLASSIFIED

PAGE 03 IAEA V 02236 141606Z

USED. ANOTHER EXAMPLE WAS A SWISS COMPANY WHICH SOUGHT TO ESTABLISH GEOLOGICAL STORAGE SITES SUITABLE IN PARTICULAR FOR FOSSIL FUELS, AND WHICH HAD INTENDED, AMONG OTHER THINGS, TO STUDY THE POSSIBILITIES OFFERED BY UNDERGROUND NUCLEAR EXPLOSIONS. BUT NEITHER THE COMPANY NOR SWITZERLAND MADE THE NECESSARY EXPLOSIVE DEVICES. THUS THE COMPANY SHOULD BE ABLE TO RELY ON AGENCY SERVICES, BUT THAT WOULD APPEAR TO INVOLVE NUCLEAR MATERIALS

SUBJECT TO SAFEGUARDS.

HE FELT, ACCORDINGLY, THAT THE IMPLICATIONS OF THE
DIRECTOR'S GENERAL'S STATEMENT SHOULD BE STUDIED THOROUGHLY,
AFTER ADEQUATE PREPARATION. CONSIDERING HOW UNCLEAR
SOME OF THE LEGAL ASPECTS OF THE IMPORTANT ISSUES RAISED
WERE, HE FELT OBLIGED TO MAKE RESERVATIONS. END QTE.

2. ON FOLLOWING DAY, ZANGGER TOLD BOARD THAT IN ORDER
CLEAR UP POSSIBLE MISUNDERSTANDING, HE WISHED TO MAKE IT
CLEAR THAT NEITHER SWISS GOVERNMENT NOR INDUSTRY WERE
DEVELOPING PNES, THOUGH PROBLEM OF MICRO-IMPOSITIONS
SHOULD STILL BE ADDRESSED.

3. MISSION'S ANALYSIS OF FACTORS INVOLVED IN THIS
EPISODE FOLLOW SEPTTEL. LABOWITZ

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXT, NUCLEAR AGREEMENTS, NUCLEAR SAFEGUARDS
Control Number: n/a
Copy: SINGLE
Draft Date: 14 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975IAEAV02236
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750090-0210
From: IAEA VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750351/aaaabtgw.tel
Line Count: 131
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ACDA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 IAEA 1695
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 13 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 JUN 2003 by BalzMJ>; APPROVED <02 MAR 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IAEA BOARD OF GOVERNORS FEB 25: SWISS RESPONSE TO DG INTERPRETATION OF SAFEGUARDS AGREEMENTS
TAGS: AORG, OCON, PARM, TECH, SZ, IAEA
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006